

FIFTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,
April 4, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

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|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

Absent.

Cousins. Gainer.

Absent—Excused.

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| Martin. | Pollard. |
| Patton. | Stevenson. |

Prayer by Rev. Forbes of the House of Representatives.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senators Poage and Rawlings: S. J. R. No. 30, A joint resolution "Proposing an amendment to Section 48, of Article 3 of the Constitution of Texas, by adding an additional

provision authorizing the Legislature to levy taxes for the purposes of acquisition, construction, improvement, and maintenance of a system of State highways; and authorizing the Legislature to levy taxes on gasoline and/or other motor fuels for the purposes of reimbursing the counties and/or defined road districts of this State for any outlays and expenditures heretofore made by such counties and/or defined road districts for the acquisition or construction of, or aid in the acquisition and construction of, and highway or highways that may now be or may hereafter become a part of the highway system of this State; providing for the submission of said amendment to the vote of the people of this State; providing the time, manner, and means thereof, and making an appropriation for such purpose."

Read and referred to Committee on Constitutional Amendments.

Senate Bill No. 578.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 578, A bill to be entitled "An Act to amend Article 591 of Chapter 2 of Title 8 of the Code of Criminal Procedure of Texas, Revision of 1925, as amended by Chapter 41 of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 578 was put on its third reading and final passage, by the following vote:

Yeas—25.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Gainer. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

Absent.

Cousins. Stevenson.

Absent—Excused.

Greer. Patton.
Martin. Pollard.Read third time and finally passed
by the following vote:

Yeas—25.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Gainer. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

Absent.

Cousins. Martin.
Greer. Stevenson.

Absent—Excused.

Patton. Pollard.

Senate Bill No. 433.The Chair laid before the Senate
on its second reading the following
bill:

By Senator Berkeley:

S. B. No. 433, A bill to be entitled
"An Act providing for the preserva-
tion of, and preventing the destruc-
tion, mutilation and removal of, cer-
tain native plants, prehistoric bones
and relics, and archaeological mat-
ters; providing the manner in which
the same may be removed, mutilated
or destroyed; prescribing offenses,
fines, penalties and punishment; and
declaring an emergency."

The committee report carrying
amendments was adopted.

The bill was read second time.

Senator Berkeley sent up the fol-
lowing amendment:

Amend Senate Bill No. 433, Sec-
tion 1. Line 18, of the printed bill
by adding after the word "inscrip-
tions" the following:

"Provided, however, that there is
excepted from the provisions hereof
Indian arrow heads."

BERKELEY.

Read and adopted.

The bill was passed to engross-
ment.

On motion of Senator Berkeley the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 433 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—24.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Gainer. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hopkins. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Nays—1.

Hornsby.

Absent—Excused.

| | |
|----------|------------|
| Cousins. | Patton. |
| Greer. | Pollard. |
| Martin. | Stevenson. |

Read third time and finally passed
by the following vote:

Yeas—17.

| | |
|-------------|-------------|
| Beck. | Poage. |
| Berkeley. | Rawlings. |
| Cunningham. | Small. |
| Loy. | Thomason. |
| Moore. | Williamson. |
| Neal. | Woodruff. |
| Oneal. | Woodul. |
| Parr. | Woodward. |
| Parrish. | |

Nays—3.

DeBerry. Purl.
Hornsby.

Present—Not Voting.

Hardin. Russek.
Holbrook.

Absent.

Hopkins.

Absent—Excused.

| | |
|----------|------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Stevenson. |
| Martin. | |

Senate Bill No. 498.

The Chair laid before the Senate on its second reading the following bill:

By Senators Woodward. Purl:

S. B. No. 498, A bill to be entitled "An Act making it unlawful for any person to possess, transport, sell or have in his possession any machine gun or any other rapid firing gun of any description commonly known and classified as a machine gun, providing exceptions and declaring an emergency."

Read and adopted.

Senator Woodward sent up the following amendments:

Amend Senate Bill No. 498 by adding after the word "gun" in line 8 of the original bill the following:

"hand grenade, tear bomb, hand bomb, gas bomb or any bomb composed in whole or in part of any highly explosive substance or material."

WOODWARD.

Read and adopted.

Amend Senate Bill No. 498 as follows: By adding at the end of Section 1 the following:

"Or by fine not to exceed one thousand dollars and by confinement in jail for a period not to exceed one year."

WOODWARD.

Read and adopted.

Amend Senate Bill No. 498 by adding another section to be known as Section 2a to read as follows, to-wit:

"This act shall not apply to any bona fide dealer who has in his possession any such instrument for the purpose of delivery to any person in the actual service as a militiaman or to a peace officer, provided, however, that such bona fide dealer has secured from such militiaman or peace officer an application in writing applying for the purchase, sale or delivery thereof, which application shall have been sworn to by such militiaman or peace officer prior to a purchase or delivery of the same to him by such dealer."

WOODWARD.

Read and adopted.

Amend Senate Bill No. 498 by adding another section to be known as Section 2b to read as follows, to-wit:

"If any section, clause or portion

of this act is for any reason declared invalid, it shall not by reason thereof invalidate the remaining section, clause or portion and it is declared by the Legislature that the remaining valid sections would have been enacted regardless of the invalidity of any other portion thereof."

WOODWARD.

Read and adopted.

Amend the caption of S. B. No. 498 to conform to the body of the bill as amended.

WOODWARD.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 498 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

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|----------|------------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Stevenson. |

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|------------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Stevenson. |

Consent to Amend.

Senator Purl received unanimous consent to amend the caption of S. B. No. 420 to conform to the body of the bill.

Senators Excused.

On motion of Senator Hornsby, Senators Martin and Gainer were excused for the day on account of important business.

On motion of Senator Poage, Senator Hopkins was excused for the day on account of important business.

On motion of Senator Beck, Senator Pollard was excused for the day on account of important business.

Senate Bill No. 170.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 170, A bill to be entitled "An Act to provide for the location, establishment and maintenance of an institution for the examination, care, treatment, and incarceration of insane, mentally deficient persons who have been indicted or convicted of a felony and defining conditions of admission thereto; and to provide for the examination and scientific study of prisoners to determine the mental and nervous condition, making this institution a part of the Prison System of Texas, and defining the duties of certain officers in respect to said institution; and declaring an emergency."

Read second time.

Senator Rawling sent up the following amendment:

Amend S. B. No. 170 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Sec. 1. That there shall be built, established and maintained, as a part of the Prison System of Texas, an institution for the examination, observation, treatment and incarceration of all persons who have been convicted of felony, and who have been duly adjudged insane by any

competent court at law in the State of Texas; and, who have been acquitted by a court of competent jurisdiction upon the grounds of insanity; said institution to be known as the STATE PRISON PSYCHOPATHIC HOSPITAL.

"Sec. 2. The construction, support and maintenance of said institution shall be made by appropriation to the Prison System of Texas for that purpose. Said institution shall be located with the principal part of said Prison System at Huntville, Walker County, Texas.

Sec. 3. The Texas State Prison Manager or other person in charge of the management of said prison shall, upon the advice of any prison physician send any prisoner to said Hospital for observation, care and treatment for thirty (30) days, and upon final examination he shall either be returned to confinement or an affidavit of insanity shall be filed against him as is provided by law.

Sec. 4. When any person shall be confined in any jail, asylum or other institution of confinement, who is charged by indictment and has been convicted of felony in this State and who has been duly adjudged insane by a court of competent jurisdiction, upon the grounds of insanity shall be confined in said institution and all persons who are now confined in the State Hospital for the Insane who are classified by the superintendents of said different Hospitals for the insane and criminally insane shall upon proper certificate from the superintendent be transferred from said hospital for the insane to the State Prison Psychopathic Hospital.

Sec. 5. No patient in the State Prison Psychopathic Hospital shall be discriminated against by virtue of any fact but they shall all be treated alike, given equal facilities, equal attention and equal treatment, and no patient in said Hospital or Institution shall be permitted to give any officer, servant, agent or employee in such Hospital or Institution any tip, pay or reward of any kind or character whatsoever, and if it is so discovered, the person accepting the tip, gift, pay or reward shall be discharged for accepting the same.

Sec. 6. The State Prison Board shall appoint with the advice of the General Manager of the State Prison System a superintendent for said

hospital or institution a regularly licensed physician, well qualified in the science of psychiatry who shall receive a fixed salary to be fixed by the Legislature not to exceed the sum of Three Thousand Three Hundred (\$3,300.00) Dollars per year, with provisions for himself and family not to exceed Five Hundred Dollars per year with water, lights, fuel, laundry and housing. The General Manager of the State Prison shall appoint such assistant physicians, well qualified in psychiatry as he may deem best, and said assistant physicians shall receive a salary to be fixed by the Legislature not to exceed Two Thousand Seven Hundred (\$2,700.00) Dollars per year with provisions for board and laundry for himself and family. The manager of the Prison System shall supply the necessary guards.

"Sec. 7. That if in any court proceedings in any portion of this Act shall be unconstitutional, it shall not affect the other portions of this Act.

Sec. 8. The fact that the provisions for caring for prisoners of unsound mind are inadequate, and that a great many insane prisoners have been committed to the various State Hospitals for mental diseases and have escaped, and escaped insane prisoners are a menace to the people of this State creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended and that this Act shall take effect and be in force from and after its passage and it is so enacted."

RAWLINGS.

Read and adopted.

Senator Purl sent up the following amendment.

Amend S. B. No. 170 by striking out the location at Huntsville wherever it appears and substitute in lieu thereof "that location shall be on any Prison System Land."

PURL.

Read and adopted.

Senator Beck sent up the following amendment:

Amend caption S. B. No. 170 to conform to bill.

BECK,
RAWLINGS.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 170 was put on its third reading and final passage, by the following vote:

Yeas—23.

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|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

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|----------|------------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Stevenson. |

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

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| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Stevenson. |

Senate Bill No. 466.

The Chair laid before the Senate on its second reading the following bill:

By Senator Rawlings:

S. B. No. 466, A bill to be entitled "An Act to fix, equalize, and regulate the compensation of county officers in all counties having a population of not less than 195,000 inhabitant nor more than 200,000 according to the United States census

of 1930, etc., and declaring an emergency."

The committee report, carrying a substitute, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 466 pass was put on its third reading and final passage, by the following vote:

Yeas—22.

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|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Absent—Excused.

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|----------|------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Stevenson. |
| Martin. | |

Read third time and finally passed by the following vote:

Yeas—22.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Absent—Excused.

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| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Stevenson. |
| Martin. | |

Senate Bill No. 352.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 352, A bill to be entitled "An Act fixing the maximum com-

pensation which may be allowed for deputies and/or assistants to the sheriff, county clerk, district clerk, tax assessor and tax collector in counties with a population over 150,000 inhabitants and containing a city with a population of over 50,000 inhabitants according to the last United States census; repealing all laws in conflict herewith; and declaring an emergency."

The committee report, carrying a substitute, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 352 was put on its third reading final passage, by the following vote:

Yeas—22.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Absent—Excused.

| | |
|----------|------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Stevenson. |
| Martin. | |

Read third time and finally passed by the following vote:

Yeas—18.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Rawlings. |
| Hardin. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Nays—4.

| | |
|-----------|--------|
| DeBerry. | Poage. |
| Holbrook. | Purl. |

Absent—Excused.

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| Cousins. | Greer. |
| Gainer. | Hopkins. |

Martin.
Patton.
Pollard.

Russek.
Stevenson.

House Bill No. 834.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 834, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency."

Read second time.

Senator Loy sent up the following amendments:

Amend H. B. No. 834 by striking out all after the word "is" in line 50, page one, down to and including the word "be" in line 51.

LOY.

Read and adopted.

Amend H. B. No. 834 by striking out all after the word "counties" in line 7, page 2, down to and including the word "less" in line 8 and substitute in lieu thereof the following: "Whose population is not more than 42,000 nor less than 41,000."

LOY.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Loy the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 834 was put on its third reading and final passage by the following vote:

Yeas—22.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Absent—Excused.

| | |
|----------|------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Stevenson. |
| Martin. | |

Read third time and finally passed by the following vote:

Yeas—19.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Parr. | Woodward. |

Nays—3.

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| Hornsby. | Purl. |
| Oneal | |

Present—Not Voting.

DeBerry.

Absent—Excused.

| | |
|----------|------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Stevenson. |
| Martin. | |

Senate Bill No. 434.

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage:

S. B. No. 434, A bill to be entitled "An Act to require all dealers in explosives to keep and maintain a record of all sales of explosives, and to provide penalties for failure to do so."

Read second time.

Senator Poage sent up the following amendments:

Amend S. B. No. 434, line 14, by striking out the words "or any other person."

POAGE,
WILLIAMSON.

Read and adopted.

Amend S. B. No. 434 by adding at the end of Section 1 the following: "Nothing herein shall be construed so as to apply to the sale of small arms ammunition."

POAGE,
WILLIAMSON.

Read and adopted.

Amend S. B. No. 434 by adding thereto a new section to be known as Section 3 as follows: "The fact that at the present time there is no

method of tracing the sale of high explosives and it is necessary that such record be maintained in order that the officers of this State may more efficiently enforce the law creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and this bill shall be in force from and after its passage and it is so enacted."

POAGE.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 434 was put on its third reading and final passage by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—22.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Williamson. |
| Neal. | Woodruff. |
| Oneal | Woodul. |
| Parr. | Woodward. |

Nays—1.

Hornsby.

Absent—Excused.

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|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

House Bill No. 821.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 821, A bill to be entitled "An Act ratifying and validating the Buna Independent School District, ratifying and validating the proceedings of the boards of county school trustees of Jasper County and Orange County, respectively, in annexing territory thereto; ratifying and validating the elections held in Buna Independent School District and Gum Slough Common School District, annexing said Gum Slough Common School District to Buna Independent School District, ratifying and validating the petitions and actions thereon by the board of trustees of Buna Independent School District and also by the board of county school trustees of Orange County annexing territory, being portions of other common school districts, to Buna Independent School District, defining and describing Buna Independent School District after such annexations, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 821 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

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|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Senate Bill No. 307.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parrish:

S. B. No. 307, A bill to be entitled "An Act to amend Chapter 101, Local and Special Laws passed by the Thirty-ninth Legislature at its Regular Session, in 1925, same being a special road law for Cottle County, by adding thereto Section 2a, authorizing the commissioners' court of Cottle County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within 60 days from the adoption of the order of the commissioners' court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish the

constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 307 was put on its third reading and final passage by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Senate Bill No. 557.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff.

S. B. No. 557, A bill to be entitled "An Act providing that it shall not be unlawful to kill or take squirrels in Parker County, Texas, any time during the year; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 557 was put on its third reading and final passage by the following vote:

Yeas—22.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and passed by the following vote:

Yeas—22.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Senate Bill No. 196.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 196, A bill to be entitled "An Act making an appropriation for the re-roofing, repairing and equipping of the old Land Office building, and declaring an emergency."

Read second time.

Senator Purl sent up the following amendment:

Amend S. B. No. 196 by striking out "Install elevator."

PURL.

Read and adopted.

Amend S. B. No. 196 by striking out the words "Repair and renovate" in Section 1.

PURL.

Senator Purl withdrew the amendment.

Senator Purl sent up the following amendment:

Amend S. B. No. 196 by adding a new section to read as follows: "None of the monies herein appropriated shall be available until the State Building Inspector shall have filed a written report with Board of Central showing the building is safe for human occupancy."

PURL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 196 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—20.

| | |
|-------------|-----------|
| Beck. | Holbrook. |
| Berkeley. | Hornsby. |
| Cunningham. | Loy. |

| | |
|-----------|-------------|
| Moore. | Small. |
| Neal. | Stevenson. |
| Oneal | Thomason. |
| Parr. | Williamson. |
| Parrish. | Woodruff. |
| Purl. | Woodul. |
| Rawlings. | Woodward. |

Nays—2

DeBerry. Poage.

Absent.

Hardin.

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Senate Bill No. 35.

The Chair laid before the Senate on its second reading the following bill:

By Senator Holbrook:

S. B. No. 35, A bill to be entitled "An Act making an appropriation to remove the remains of certain heroes and providing for monuments for such heroes."

The committee report carrying a substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 35 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—21.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Purl. |
| Cunningham. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Nays—2.

DeBerry. Poage.

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Senate Bill No. 41.

Senator Purl called up from the table:

By Senator Purl:

S. B. No. 41, A bill to be entitled "An Act defining group life insurance; providing that no policy of group life insurance shall be issued or delivered unless and until a copy of the form thereof has been filed with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of such insurance, providing the method of computing the reserves of such policies; prohibiting the issuance of any contract of life insurance covering a group except as provided by the provisions of the Act, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Purl the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 41 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|----------|
| Beck. | Hornsby. |
| Berkeley. | Loy. |
| Cunningham. | Moore. |
| DeBerry. | Neal. |
| Hardin. | Oneal. |
| Holbrook. | Parr. |

| | |
|------------|-------------|
| Parrish. | Thomason. |
| Poage. | Williamson. |
| Purl. | Woodruff. |
| Rawlings. | Woodul. |
| Small. | Woodward. |
| Stevenson. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

House Bills No. 8.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 8, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employee of this State or any other person to build, construct, erect, or maintain any building, structure, memorial, or monument within the inclosure around the capitol grounds in the city of Austin without the authority theretofore given by statute by the Legislature of the State of Texas and prescribing a penalty, and declaring an emergency."

Read second time.

Senator Moore sent up the following amendments:

Amend H. B. No. 8 by inserting the words "or concession" in Section 1 immediately following the word "statute."

MOORE.

Read and adopted.

Amend H. B. No. 8, by inserting the words "or concurrent resolution resolution" in section 1 immediately following the word "statute."

MOORE.

Read and adopted.

Amend the caption of H. B. No. 8 to conform to the body of the bill as amended.

MOORE.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 8 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Senate Bill No. 532.

The Chair laid before the Senate on its second reading the following bill:

By Senator Oneal:

S. B. No. 532, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city which has more than forty thousand population and fewer than one hundred thousand population, according to the Federal census of 1930, whether under general or special law, repealing all laws in conflict herewith, both general and special, and providing further that this Act shall not affect any such independent school district which at this time may have a larger authorized rate of taxation, and declaring an emergency."

The committee report was adopted.

The bill was read second time.

Senator Oneal sent up the following amendments:

Amend Senate Bill No. 532 by striking out of line 3 of Section One the words "one hundred" and insert in lieu thereof the word "fifty two."

ONEAL.

Read and adopted.

Amend Senate Bill No. 532 by striking out of line 4, Section 1, the words "Federal census of 1930," and insert in lieu thereof "last preceding Federal census."

ONEAL.

Read and adopted.

Amend the Caption to Senate Bill No. 532 by striking out the words "one hundred" and inserting in lieu thereof "fifty two." and striking out the words "Federal Census of 1930" and inserting in lieu thereof the words "last preceding Federal census."

ONEAL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 532 was put on its third reading and final passage, by the following vote:

Yeas—23.

| | |
|-------------|-------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| DeBerry. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Read third time and finally passed by the following vote:

Yeas—18.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Purl. |
| Cunningham. | Rawlings. |
| Hardin. | Small. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Nays—4.

| | |
|-----------|----------|
| DeBerry. | Parrish. |
| Holbrook. | Poage. |

Absent.

Stevenson.

Absent—Excused.

| | |
|----------|----------|
| Cousins. | Martin. |
| Gainer. | Patton. |
| Greer. | Pollard. |
| Hopkins. | Russek. |

Recess.

Senator DeBerry moved to recess until 2 o'clock p. m.

Senator Small moved to adjourn until 10 o'clock Monday morning. The motion was lost.

The motion to recess prevailed and at 12:40 o'clock p. m. the Senate recessed.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

House Bill No. 851.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 851, A bill to be entitled "An Act to prohibit the hunting, shooting or killing of wild duck, wild geese, wild brandt or any other wild water fowl within Harrison and Marion Counties from 12:00 o'clock noon of each day, until thirty minutes before sunrise of the following day; fixing penalty, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and H. B. 851 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Senate Bill No. 533.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 533, A bill to be entitled "An Act prohibiting any judge or officer of an election from betting or wagering on the election or nomination of any officer; prohibiting betting or wagering on the number of votes polled or cast, or to be polled or cast in the precinct or voting box in which such officer is serving in certain cases; prescribing offenses and punishment; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. 533 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Martin. |
| DeBerry. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Williamson. |

Read third time and finally passed.

House Bill No. 736.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 736, A bill to be entitled "An Act making it unlawful to hunt or kill any wild turkey or wild deer in Panola County for a period of five years; fixing a penalty, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. 736 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Martin. |
| DeBerry. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Williamson. |

Read third time and finally passed.

House Bill No. 758.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 758, A bill to be entitled "An Act authorizing the members of the commissioners' courts of counties of not less than 15,775 and not more than 15,785 inhabitants to receive a monthly allowance for car expense not exceeding fifty dollars (\$50) each month; providing for filing sworn accounts, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. 758 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Martin. |
| DeBerry. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Williamson. |

Read third time and finally passed.

Senate Bill No. 531.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodward and Purl: S. B. No. 531, A bill to be entitled

"An Act to amend Section 56 of S. B. No. 111, Chapter 61, Acts of the Second Called Session of the 41st Legislature of the State of Texas, providing the method by which building and loan associations of this State may dissolve the corporation and liquidate the affairs of the association; providing when and how the corporation may dissolve and liquidate its affairs; providing for the duties of the officers and directors of the association after the stockholders vote to liquidate; providing for the status of the association after the Banking Commission of Texas has approved the resolve to dissolve; providing for the liquidation of the affairs of the association and the distribution of its assets; providing for the duties of the Banking Commissioner in connection therewith; and declaring an emergency."

The committee report carrying an amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 531 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parrish. |
| Berkeley. | Poage. |
| Cunningham. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal. | Woodward. |
| Parr. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Martin. |
| DeBerry. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Williamson. |

Read third time and finally passed.

Senate Bill No. 37.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 37, A bill to be entitled "An Act, to amend Article 1330, Revised Civil Statutes of 1925, and declaring an emergency."

The committee substitute was adopted.

Read second time.

Senator Woodul sent up the following amendment:

Amend C. S. S. B. No. 37, Section 1, Line 16, by striking out, after the words "authorized by law" to and including the words "case may be," on line 22, and substituting in lieu thereof the following:

"When empowered to do so by a two-thirds vote of all of its outstanding stock with voting privileges, at a special or regular meeting called for that purpose by complying with the provisions of Article 1308, and/or Article 1538-D, as the case may be. Par value stock issued or unissued, may be converted into preferred stock in the same manner and subject to the same limitations as no par stock may be so converted under Article 1538-H, Revised Civil Statutes of 1925."

WOODUL.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 37 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time.

Senate Bill No. 469.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parrish:

S. B. No. 469, A bill to be entitled "An Act amending Chapter 177, Acts of the Thirty-Ninth (39th) Legislature, Regular Session, Page 343, as amended by the Acts of the Forty-first (41st) Legislature, Regular Session, Chapter 221, Page 472, as amended by the Acts of the Fifth (5th) Called Session of the Forty-first (41st) Legislature, Chapter 45, Page 185, relating to fur-bearing animals, by adding thereto Section 13-A, proving that the open season for fur-bearing animals shall be extended fifteen (15) days in Cottle County; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 469 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Senate Bill No. 497.

The Chair laid before the Senate on its second reading the following bill:

By Senator Purl:

S. B. No. 497, A bill to be entitled "An Act to amend Article 4578, Re-

vised Civil Statutes of Texas of 1925, to provide that any person engaged or desiring to be engaged in the practice of embalming in connection with the care and disposition of dead human bodies within this State shall make a written application to the State Board of Embalming for a license, accompanying the same with license fee of ten dollars, whereupon the applicant shall come before said board at its regular annual meeting or at a special meeting thereof; providing that in all examinations held after the annual meeting of the board in May, 1931, no applicant for a license shall be eligible to take said examination unless he shall submit satisfactory evidence to the board that he is a graduate of a high school or that he has had school training equivalent to that given in the high schools of this State, or that he holds a valid and subsisting embalmer's license or certificate issued under the authority of another state; etc., and declaring an emergency."

Read second time.

Senator Woodward moved to indefinitely postpone further consideration of the bill. The motion was lost.

On motion of Senator Purl, the bill was laid on the table subject to call.

Senate Bill No. 541.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodward:

S. B. No. 541, A bill to be entitled "An Act amending Article 6866 of the Revised Civil Statutes of 1925 relating to the oath and bond of sheriffs so as to provide that sheriffs and their deputies shall not be responsible on their official bonds or personally because of having received or confined any prisoner delivered to them by a State Ranger, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 541 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Senate Bill No. 333.

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage:

S. B. No. 333, A bill to be entitled "An Act providing a more efficient road law for Falls County, Texas, authorizing the commissioners' court of Falls County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to February 1, 1931, and to levy a tax in payment thereof supplementing other special road laws applicable to said county in harmony with the provisions hereof, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read second time.

Senator Poage sent up the following amendment:

Amend S. B. No. 333 by adding at the end of Section 1 the following:

"Provided, however, that no such bonds shall be issued except in the same manner provided by law for the issuance of bonds for the construction of roads."

POAGE.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 333 was put

on its third reading and final passage by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Senate Bill No. 548.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff:

S. B. No. 548, A bill to be entitled "An Act providing that fees in felony cases payable by the State shall be limited to three cases against the same defendant; repealing conflicting laws, and declaring an emergency."

Read second time and passed to engrossment.

Senate Bill No. 563.

The Chair laid before the Senate on its second reading the following bill:

By Senator Loy:

S. B. No. 563, A bill to be entitled "An Act amending Article 2832, Revised Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Loy the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 563 was put on its third reading and final passage by the following vote:

Yeas—21.

| | |
|-----------|-------------|
| Beck. | Cunningham. |
| Berkeley. | DeBerry. |

| | |
|-----------|------------|
| Hardin. | Poage. |
| Holbrook. | Purl. |
| Hornsby. | Rawlings. |
| Loy. | Stevenson. |
| Moore. | Thomason. |
| Neal. | Woodruff. |
| Oneal | Woodul. |
| Parr. | Woodward. |
| Parrish. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Senate Bill No. 428.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 428, A bill to be entitled "An Act to amend Section 1 of Chapter 105, Acts of the First Called Session of the Forty-first Legislature, and declaring an emergency."

Read second time.

On motion of Senator Moore, the bill was laid on the table subject to call.

Senate Bill No. 542.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodward:

S. B. No. 542, A bill to be entitled "An Act to amend Article 429 of the Penal Code of 1925 of the State of Texas so as to make it an offense to falsely assume or pretend to be a State Ranger, increasing the punishment, and declaring an emergency."

Read second time.

Senate Bill No. 571.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 571, A bill to be entitled "An Act to validate the extension of the corporate limits of cities having a population of not less than 15,000 and not more than 20,990, according to the last preceding United States census, either wherein said exten-

sion of territory was attempted under Statutes providing for the consolidation of cities of more than 5,000 population, and wherein in the act of extending said corporate limits said city has included all of the territory of an adjoining city of less than 2,000 population, etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

Senator Woodward sent up the following amendment:

Amend S. B. No. 542 by adding to Section 1 the following:

"or by fine not less than \$100.00 nor more than \$1,000.00 or by confinement in Jail not less than ten days nor more than one year or by both such fine and Jail imprisonment.

WOODWARD.

Read and adopted.

The bill was passed to engrossment.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 571 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

House Bill No. 294.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 294, A bill to be entitled "An Act amending Article 6954 Chapter 6, Title 121 of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5 of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8 of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the counties of Carson and Oldham, and declaring an emergency."

Read second time.

Senator Parr sent up the following amendment:

Amend the caption of H. B. No. 294, Line 8, after the words: "Senate Bill 22" by striking out all thereafter before the enacting clause and substituting in lieu thereof the following:

"As amended by Chapter 15 of the 4th Called Session of the 41st Legislature, and declaring an emergency."

PARR.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 294 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Yeas—22.

| | |
|-------------|------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Woodruff. |
| Neal. | Woodul. |
| Oneal | Woodward. |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Williamson. |
| Martin. | |

Senate Bill No. 422.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 422, A bill to be entitled "An Act to amend Section 7 of Chapter 290 of the General and Special Laws enacted by the Forty-first Legislature in regular session in 1929, authorizing the establishment of junior colleges so as to empower any independent school district in which is located a city with a population of more than 290,000, according to the last preceding Federal census, to issue bonds for buildings, equipment and sites for a junior college, to levy, assess and collect a special tax to provide for interest and sinking funds on such bonds and for maintenance of such a college and also providing for holding an election in such independent school district to determine whether such bonds shall be issued and such taxes shall be levied."

The committee report carrying a amendment was adopted.

The bill was read second time.

Senator Woodul sent up the following amendments:

Amend S. B. No. 422, page 2, line 20, by striking out the word "in," same being third word in said line.

WOODUL.

Read and adopted.

Amend S. B. No. 422, page 2, by striking out all after the word "census." in line 22, down to and including the word "district" in line 25.

WOODUL.

Read and adopted.

The bill was laid on the table subject to call on motion of Senator Woodul.

Senate Bill No. 505.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parrish:

S. B. No. 505, A bill to be entitled "An Act to amend Chapter 234, Local and Special Laws passed by the 39th Legislature at its Regular Session, in 1925, same being a Special Road Law for Stonewall county, by adding thereto Section 1a, authorizing the Commissioners' Court of Stonewall County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the Commissioners' Court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 505 was put on its third reading and final passage, by the following vote:

Yeas—21.

| | |
|-------------|----------|
| Beck. | Loy. |
| Berkeley. | Moore. |
| Cunningham. | Neal. |
| DeBerry. | Oneal |
| Hardin. | Parr. |
| Holbrook. | Parrish. |
| Hornsby. | Poage. |

| | |
|------------|-----------|
| Purl. | Woodruff. |
| Rawlings. | Woodul. |
| Stevenson. | Woodward. |
| Thomason. | |

Absent—Excused.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Pollard. |
| Greer. | Russek. |
| Hopkins. | Small. |
| Martin. | Williamson. |

Read third time and finally passed.

Adjournment.

On motion of Senator Purl, the Senate, at 3:45 o'clock p. m., adjourned until Monday morning at 10 o'clock.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, April 4, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 173 carefully examined and compared and find same correctly engrossed.
HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 3, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 448, A bill to be entitled "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds thereof, the company issuing such policy shall, in the absence of the receipt by it of notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as beneficiary, and such payment so made, in the absence of such notice received by the insurance company prior to

the date of the payment of the proceeds, shall discharge the company from all liability under the policy, providing that the provisions of this Act shall apply to policies in existence, as well as to all policies hereafter written, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STEVENSON, Chairman.

Committee Room,
Austin, Texas, April 3, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 556, A bill to be entitled "An Act amending Article 4745 Revised Civil Statutes, 1925, prohibiting the payment of commissions to officers of life insurance companies and enabling the payment of renewal commissions under certain conditions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STEVENSON, Chairman.

Committee Room,
Austin, Texas, April 3, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 218, A bill to be entitled "An Act amending Article 4725 of the Revised Civil Statutes of 1925, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed in lieu of advance printing.

STEVENSON, Chairman.

Committee Room,
Austin, Texas, April 4, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 15, A joint resolution Proposing an amendment to Section 28, of Article 1 of the Constitution of the State of Texas, limiting the power of suspending laws in this

State to the Legislature and providing that the Legislature may delegate to the department of the State Government charged with the duty of enforcing and administering the game and fish laws of this State such powers as the Legislature may from time to time desire to delegate."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, March 31, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 754, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits of cooperation with the teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman

Committee Room,
Austin, Texas, March 31, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 870, A bill to be entitled "An Act providing for a rural school supervisor in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary, office and traveling expenses of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, April 3, 1931.
Hon. Edgar E. Witt, President of the Senate.

We, your Committee on Educational Affairs, to whom was referred H. B. No. 811, A bill to be entitled "An Act to amend Section 1 of Chapter 31 of the Acts of the Second Called Session of the Forty-first Legislature relative to the qualifications and duties of the County Board of Education of certain counties; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, April 4, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred

S. B. No. 571, A bill to be entitled "An Act to validate the extension of the corporate limits of cities having a population of not less than 15,000 and not more than 20,000, according to the last preceeding United States Census, either wherein said extension of territory was attempted under statutes providing for the consolidation of cities of more than 5,000 population, and wherein in the act of extending said corporate limits said city has included all of the territory of an adjoining city of less than 5,000 population, and/or wherein said extension of territory was attempted under charter provisions which provide for the annexation of adjoining territory without specific reference to the fact that the adjoining territory is included in an incorporated city, and to validate all proceedings, actions, resolutions, elections and ordinances taken or made in reference thereto or pursuant thereto, repealing all laws and parts thereof in conflict herewith to the extent in conflict herewith, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

ONEAL, Chairman.